

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION
RESOLUTION 23-06

COMMISSION'S DECISION DENYING LAFCO APPLICATION NO. 22-07 THAT
PROPOSED INCLUSION OF THE "BAILEY PROPERTY" AND THE "BODGER
PROPERTY" WITHIN THE CITY OF LOMPOC'S SPHERE OF INFLUENCE

WHEREAS on September 1, 2022, City of Lompoc ("City") filed LAFCO Application No. 22-07 with the Executive Officer of the Commission. The Application proposed an amendment of City's "sphere of influence" to include the above referenced Bailey property (APNs 093-070-084, -065 consisting of 40.6-acres) and Bodger property (APNs 093-111-007, -008, -009, -010, -011, & -012 consisting of 107.7-acres) (hereafter "Bailey Avenue Properties") within City's sphere of influence. The total area of the Bailey Avenue Properties is 148.3 acres.

WHEREAS Application 22-07 amended City's earlier LAFCO Application No. 18-05, dated July 26, 2018, submitted pursuant to City Resolution 6523(22), that requested both a sphere of influence amendment and annexation of the Bailey Avenue Properties. Application 22-07 withdrew and deferred potential consideration of the annexation proposal and proceeded only with the proposed sphere of influence amendment.

WHEREAS Application 18-05 relied on and included prior City Resolution No. 5668, dated October 19, 2010, wherein City adopted its 2030 General Plan Update and certified Final Environmental Impact Report No. 09-01 ("FEIR"), prepared pursuant to the California Environmental Quality Act, Public Resources Code section 21000 et seq. ("CEQA"). The 2030 General Plan Update proposed, among other measures, City's annexation and plan for development of the Bailey Avenue "corridor," an area larger than the Bailey Avenue Properties consisting of 270 acres.

WHEREAS, for compliance with CEQA, City approved Addendum No. 3 to the FEIR as part of submittal of Application No. 18-05. And City approved Addendum No. 7 to the FEIR as part of submittal of Application No. 22-07.

WHEREAS on October 26, 2022, City filed a letter with the Executive Officer to “clarify and amend” Application No. 22-07. The amendment addressed City’s commitment to require agricultural conservation easements at a ratio of 1:1 to provide mitigation of impacts due to the loss of prime agricultural land should the Bailey Avenue Properties be developed.

WHEREAS the proposal for agricultural conservation easements was analyzed in the FEIR, which concluded that development of the Bailey Avenue corridor (including the Bailey Avenue Properties) would result is a “Class I” significant adverse environmental impact due to the loss of prime agricultural land. City’s CEQA findings in support of the adoption of the FEIR concluded buildout of the Bailey Avenue Properties would “result in Class I, significant and unavoidable impacts related to agricultural conversion.” Further, City found “there are no feasible mitigation measures which might avoid or reduce the significant environmental effects of the project . . .” Nevertheless, City determined that “these unavoidable significant effects are considered acceptable when balanced against the benefits of the Project, as set forth in the Statement of Overriding Considerations.”

WHEREAS the Bailey Avenue Properties are designated in County’s General Plan as agriculture. Further, County stated in a letter to City dated November 26, 2019, that the “conversion of a significant amount of prime agricultural land would be inconsistent with agricultural resources protection policies adopted by the County in [its] Comprehensive Plan.”

WHEREAS the Cortese Knox Hertzberg Act, Government Code section 56377, requires the Commission consider the following policies and priorities when considering proposals that would result in the loss of prime agricultural lands.

(a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.

(b) Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing sphere of influence or the local agency.

WHEREAS on December 2, 2022, the Executive Officer filed with the Commission and released to the public a comprehensive staff report regarding the proposed sphere of influence amendment. The Staff Report included a detailed analysis of the application, including criteria for sphere of influence determinations listed in Government Code section 56425(e).

WHEREAS at the times and in the manner required by law, the Executive Officer gave notice of and the Commission's held a hearing for consideration of Application No. 22-07 on December 8, 2022, at which time the Commission granted a request for continuance to February 2, 2023.

WHEREAS on February 2, 2023, the Commission heard, discussed, and considered all oral and written testimony and evidence related to the proposal including, but not limited to, the Executive Officer's report, City's application, City's supplemental

materials submitted after the application, the environmental documents, City's sphere of influence, applicable general and specific plans; and public comment and testimony.

NOW, THEREFORE, THE COMMISSION HEREBY RESOLVES,
DETERMINES, AND ORDERS as follows:

1. It has not been shown that urban development of the Bailey Avenue Properties prime agricultural lands would promote the planned, orderly, and efficient development of an area. As such, approval would be inconsistent with Government Code section 56377(a). Further, City has not demonstrated that development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction does not meet City's housing needs, including its regional housing needs assessment.
2. The Commission's written determinations pursuant to Government Code section 56425(e)(1-5) are set forth in Attachment A to this Resolution and are adopted.
3. Loss of such prime agricultural land cannot be mitigated. The City's EIR identified the loss of prime agricultural land to urban development as a Class I significant adverse environmental impact that cannot be mitigated to insignificance. While City proposed to require agricultural conservation easements at a ratio of 1:1 as mitigation, City's EIR and CEQA findings acknowledge the adverse impact would remain significant.
4. Notwithstanding City's statements that expansion of urban development into the Bailey Avenue Properties can help resolve ongoing urban/agricultural land use conflicts, the sphere of influence amendment appears to be a limited approach to a complicated problem that proposes more residential development adjacent to existing agricultural to the west. Further, development of the Bailey Avenue Properties would create pressure to develop the prime agricultural land to the west, almost all of which is now preserved pursuant to Williamson Act agreements.

5. City stated the sphere of influence amendment will help City deal with an imbalance between jobs and housing. While the Commission appreciates City's concerns, the proposal does not clearly state how this issue would be improved or resolved through the sphere of influence amendment and offers no long-term attainable strategy to fix this problem. In particular, County stated in a letter dated September 28, 2018, the proposal appears to be inconsistent with the County's Climate Action Plan and Circulation Element as the "proposed project would add 469 households to the City of Lompoc, but it would not add new long-term employment opportunities. As a result, most new residents would likely commute to jobs in other communities. Consequently, the project would increase [vehicle miles traveled] and not improve the existing jobs-housing imbalance."

6. City stated the potential growth of the Vandenberg Space Force Base could affect the need for additional housing in the Lompoc Valley. While the Commission appreciates this concern, proposals for the Base at this point appear to still be in the very early stages. City's 2030 General Plan, the FEIR and addenda did not identify nor analyze potential growth at the Base. Additionally, if and when additional housing is needed for such growth, a comprehensive strategy would be needed to address where and how such growth should occur. Such planning efforts would include not only LAFCO and City but also County and cities and special districts in north county.

7. The Commission has considered City's FEIR, findings and statements of overriding consideration in support of the sphere of influence proposal. The Commission finds it has grounds to deny the application pursuant to CEQA Guidelines section 15042 that provides "a Responsible Agency may refuse to approve a project in order to avoid direct or indirect environmental effects of that part of the project which the Responsible Agency would be called on to carry out or approve." The Commission finds that the EIR's identification of the Class I significant adverse environmental impact of losing a significant amount

of prime agricultural land is sufficient grounds for denial of the project. Further, the Commission has not identified sufficient grounds to support the Commission's adoption of a statement of overriding consideration, as required by CEQA Guidelines section 15093.

8. The Commission determines that its decision to deny the proposal is exempt from CEQA pursuant to CEQA Guidelines Section 15270 "Projects Which are Disapproved," and see also Section 15061(b)(4).

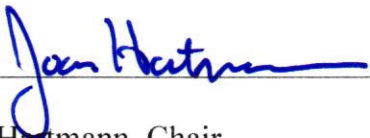
THEREFORE, IT IS HEREBY ORDERED THAT Application No. 22-07 is denied on the 6th day of April, 2023, and is effective when signed by the Chair.

AYES: Commissioners Freeman, Geyer, Patino, Stark, Williams, and Hartmann

NOES: Commissioner Osborne

ABSTAIN: None

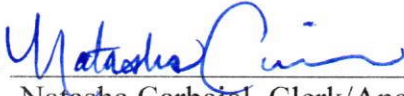
Santa Barbara County Local Agency
Formation Commission

By: 

Joan Hartmann, Chair

Date: April 6, 2023

ATTEST:

By: 
Natasha Carbajal, Clerk/Analyst
Local Agency Formation Commission